

REMARKS

Claims 5, 8-9, 11-14 are pending.

Claims 1-4, 6-7, 10, and 15-33 have been cancelled.

In the Office Action dated January 6, 2009, claims 1, 3-5, and 18-21 were rejected under 35 U.S.C. § 101; claims 18-21 were rejected under 35 U.S.C. § 112, ¶ 1; claims 1, 3, 22-23, 25, 27, 30, 31, and 33 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Publication No. 2001/0009544 (Vanttinen) in view of U.S. Patent No. 5,613,205 (Dufour); claims 4, 26, and 28-29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Vanttinen and Dufour and further in view of U.S. Publication No. 2004/0176104 (Arcens); claims 15-17, and 32 were rejected under 35 U.S.C. § 103(a) as unpatentable over Vanttinen in view of Dufour and Arcens; claims 18-20 were rejected under 35 U.S.C. § 103(a) as unpatentable over Arcens in view of Dufour; and claim 21 was rejected under 35 U.S.C. § 103(a) as unpatentable over Arcens and Dufour and further in view of Vanttinen.

Applicant acknowledges the allowance of claims 8, 9, and 11-14, and the indication that claim 5 would be allowable if rewritten in independent form.

Claim 5 has been amended to incorporate the subject matter of base claim 1 and intervening claims 3 and 4, to place the claim in condition for allowance. In amended claim 5, the “communicating” task of claim 5 has been amended to indicate that the “communicating” task is performed by a base station. This is believed to address the § 101 rejection, since claim 5 is now tied to an apparatus, in this case the base station.

Although claim 11 was indicated as being allowed, it is noted that claim 11 depends from claim 1. It is believed that the Examiner intended that claim 11 is to be indicated as allowable if rewritten in independent form. Claim 11 has been amended to incorporate the subject matter of claim 1, and is therefore believed to be in condition for allowance.

The remaining rejected claims have been cancelled, without prejudice, to render the rejections of those claims moot.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-1315 (15982RRUS02U).

Respectfully submitted,

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Dan C. Hu
Registration No. 40,025
TROP, PRUNER & HU, P.C.
1616 South Voss Road, Suite 750
Houston, TX 77057-2631
Telephone: (713) 468-8880
Facsimile: (713) 468-8883